

CUSTOMS BULLETIN AND DECISIONS

**Weekly Compilation of
Decisions, Rulings, Regulations, Notices, and Abstracts
Concerning Customs and Related Matters of the
U.S. Customs Service
U.S. Court of Appeals for the Federal Circuit
and
U.S. Court of International Trade**

VOL. 32

SEPTEMBER 2, 1998

NO. 35

This issue contains:

U.S. Customs Service

T.D. 98-69 and 98-70

General Notices

NOTICE

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U.S. Customs Service

Treasury Decisions

(T.D. 98-69)

RECORDATION OF TRADE NAME: "RONSON CONSUMER PRODUCTS CORPORATION"

AGENCY: U.S. Customs Service, Department of the Treasury.

SUMMARY: On Friday, April 24, 1998, a notice of application for the recordation under Section 42 of the Act of July 5, 1946, as amended (15 U.S.C. 1124), of the trade name "RONSON CONSUMER PRODUCTS CORPORATION," used by Ronson Consumer Products Corporation is wholly owned subsidiary of Ronson Corporation and is located at 3 Ronson Road, Woodbridge, New Jersey 07095, was published in the Federal Register (63 FR 20444). The notice advised that before final action was taken on the application, consideration would be given to any relevant data, views, or arguments submitted in writing by any person in opposition to the recordation and received not later than June 23, 1998. No responses were received in opposition to the notice.

Accordingly, as provided in Section 133.14, Customs Regulations (19 CFR 133.14), the name "**RONSON CONSUMER PRODUCTS CORPORATION,**" is recorded as the trade name used by **Ronson Consumer Products Corporation,** a wholly owned subsidiary of Ronson Corporation and is located at 3 Ronson Road, Woodbridge, New Jersey 07095.

The trade name is used in connection with lighters and parts thereof, including pieces of sparking metal/flints, lighter fluid and liquefied petroleum gas for use in lighters, multi-purpose igniters and the like, packaged chemical liquids such as multi-use spray lubricants, general purpose spot removers, leather, vinyl and rubber surface protectants/cleaners, electric shavers, cigar piercers, cigar and cigarette holders, pipe holders, broilers, electric knives, electric blenders, electric can openers, electric powered toothbrushes, other small electric appliances and writing instruments.

The merchandise is manufactured in the United States.

EFFECTIVE DATE: August 18, 1998.

FOR FURTHER INFORMATION CONTACT: Delois P. Johnson, Intellectual Property Rights Branch, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229 (202-927-2330).

Dated: August 12, 1998.

JOHN F. ATWOOD,
Chief,
Intellectual Property Rights Branch.

[Published in the Federal Register, August 18, 1998 (63 FR 44305)]

(T.D. 98-70)

RECORDATION OF TRADE NAME: "RONSON CORPORATION"

AGENCY: U.S. Customs Service, Department of the Treasury.

SUMMARY: On Friday, April 24, 1998, a notice of application for the recordation under Section 42 of the Act of July 5, 1946, as amended (15 U.S.C. 1124), of the trade name "RONSON CORPORATION," used by Ronson Corporation, a corporation organized under the laws of the State of New Jersey, located at Corporate III, Campus Drive, P.O. Box 6707, Somerset, New Jersey 08875, was published in the Federal Register (63 FR 20444). The notice advised that before final action was taken on the application, consideration would be given to any relevant data, views, or arguments submitted in writing by any person in opposition to the recordation and received not later than June 23, 1998. No responses were received in opposition to the notice.

Accordingly, as provided in Section 133.14, Customs Regulations (19 CFR 133.14), the name "**RONSON CORPORATION,**" is recorded as the trade name used by **Ronson Corporation** and is located at Corporate III, Campus Drive, P.O. Box 6707, Somerset, New Jersey 08875.

The trade name is used in connection with lighters and parts thereof, including pieces of sparking metal/flints, lighter fluid and liquefied petroleum gas for use in lighters, multi-purpose igniters and the like, packaged chemical liquids such as multi-use spray lubricants, general purpose spot removers, leather, vinyl and rubber surface protectants/cleaners, electric shavers, cigar piercers, cigar and cigarette holders, pipe holders, broilers, electric knives, electric blenders, electric can openers, electric powered toothbrushes, other small electric appliances and writing instruments.

The merchandise is manufactured in the United States.

EFFECTIVE DATE: August 18, 1998.

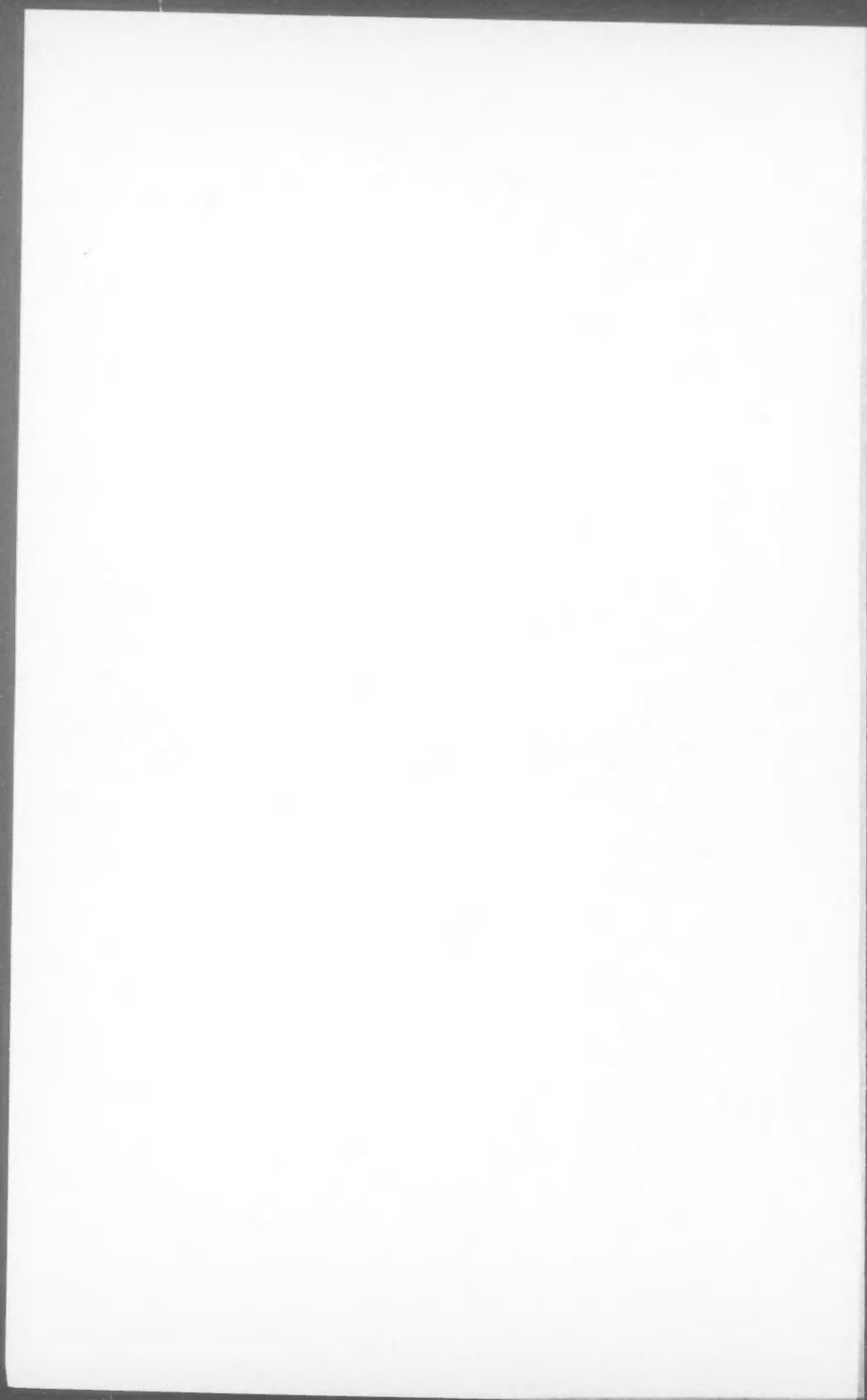
FOR FURTHER INFORMATION CONTACT: Delois P. Johnson, Intellectual Property Rights Branch, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229 (202-927-2330).

Dated: August 12, 1998.

JOHN F. ATWOOD,
Chief,

Intellectual Property Rights Branch.

[Published in the Federal Register, August 18, 1998 (63 FR 44306)]



U.S. Customs Service

General Notices

MODIFICATION OF NATIONAL CUSTOMS AUTOMATION PROGRAM TEST REGARDING RECONCILIATION

AGENCY: Customs Service, Treasury.

ACTION: General notice.

SUMMARY: A notice was published in the Federal Register on February 6, 1998, announcing the U.S. Customs ACS Reconciliation Prototype. This document serves to announce certain operational changes to the prototype, as well as to provide clarification on some items. Most aspects of the prototype are unchanged, including the Customs Service policy that the prototype will serve, until implementation of the Reconciliation component of NCAP/P, as the exclusive means to reconcile entry summaries.

EFFECTIVE DATE: The starting date announced in the February 6, 1998 notice is unchanged. This prototype will commence no earlier than October 1, 1998, will run for approximately two years, and may be extended. Applications to participate in the prototype will be accepted throughout the duration of the prototype.

ADDRESSES: Written comments regarding this notice should be addressed to Mr. Don Luther, Reconciliation Team, U.S. Customs Service, 1300 Pennsylvania Ave. N.W., Mailstop 5.2A, Washington, DC, 20229-0001.

FOR FURTHER INFORMATION CONTACT: Mr. Don Luther at (202) 927-0915.

SUPPLEMENTARY INFORMATION:

CHANGES AND CLARIFICATIONS

The following items are changes and clarifications to the February 6, 1998 Federal Register notice on the Reconciliation Prototype. Unless specifically addressed in this notice, all elements of the earlier notice still apply.

A. Additional Information on the Prototype

Additional information on the prototype is available on the U.S. Customs Internet Web Site. The address for this site is:

www.customs.ustreas.gov/imp-exp2/comm-imp/recon/index.htm

B. Bond Issues

1. Bond Rider

The specific language in the bond rider has been changed to more adequately address coverage for Aggregate Reconciliations. The rider must be filed with the bond prior to any entry summaries being flagged for reconciliation. Because the new bond rider is different, applicants who already have provided the earlier bond rider must provide the new bond rider prior to flagging entries for reconciliation.

The rider shall read as follows:

By this rider to the Customs Form 301 No. _____, executed on _____, by _____ as principal(s), importer no(s). _____, and _____, as surety, code no. _____, which is effective on _____, the principal(s) and surety agree that this bond covers all Reconciliations pursuant to 19 U.S.C. § 1484(b) that are elected on any entries secured by this bond, and that all conditions set out in Section 113.62, Customs Regulations, are applicable thereto. The principal(s) and surety also agree that, when an Aggregate Reconciliation under this rider lists entries occurring in more than one bond period, any liabilities to Customs reflected in that Aggregate Reconciliation shall be attributable (up to the full available bond amount) to any or all of those bond periods.

2. Termination of Bond Rider

Termination of the Reconciliation Bond Rider by either the principal or the surety may be affected in accordance with procedures set forth in part 113.27, Customs Regulations. Termination of the Reconciliation Bond Rider will not serve to terminate the underlying bond. Moreover, it should be noted that Customs will not terminate bonds or riders filed pursuant to this prototype.

3. Bond coverage to be evaluated

In addition to the test evaluation criteria listed in the February 6, 1998 notice, adequacy of bond coverage for participating importers will also be evaluated for this prototype.

C. Changes in terminology

The previous notice described two methods for flagging entry summaries for reconciliation, and two methods for reconciling flagged entry summaries. The method of flagging does not dictate the method of reconciling. Due to some confusion caused by similar terms, Customs is changing the terminology of the flagging methods. The methods themselves are unchanged, but are shown here for clarification.

Individual entry flag (Previously called entry-by-entry flagging): The importer electronically via ABI inputs an indicator on all entries which are subject to reconciliation. This indicator identifies the issue(s) subject to reconciliation.

Blanket flag (Previously called blanket application): Prior to filing entries subject to reconciliation, the importer provides Customs a letter

which contains the importer of record number, the time period in which entries are subject to reconciliation, and the issue(s) subject to reconciliation. Customs will input an electronic indicator on ALL entries for that importer for that time period, which will identify them as being subject to reconciliation for the issue(s) indicated. The flag that results is the same as the individual entry flag, except that it is applied by Customs to all entries filed for a given importer of record.

D. Designated Processing Ports

The previous notice stated that Reconciliations may be filed at any Customs port, but would be processed at a processing port assigned to the importer by Customs. Due to intricacies relating to financial collections and routing of documents, Customs has changed this aspect of the prototype. While the underlying entries may still be filed at any port, the Reconciliation must be filed at the processing port assigned to the importer by Customs. For purposes of filing the Reconciliation at the processing port, the broker permit requirement is waived (See below).

The Reconciliation Processing Ports are:

Boston, MA
Champlain, NY
Detroit, MI
El Paso, TX
Laredo, TX
Miami, FL
Minneapolis, MN
New York, NY/Newark, NJ
Nogales, AZ
Pharr, TX
Portland, OR
San Diego/Otay Mesa, CA

Other ports may be added at a later date, at which time affected participants would be notified.

E. Entry types eligible for Reconciliation

The notice of February 6, 1998 stated that the following entry types would be eligible for the ACS Reconciliation Prototype: 01, 02, 03, 06 and 07. During the course of program development, it became apparent that Customs would not be able to include entry types 03 and 07 in this initial phase of the prototype. These entry types are those subject to Antidumping/Countervailing duty cases, which due to their inherent complexity, cannot be incorporated into reconciliation at this time. **The entry types covered by the prototype will be types 01, 02, and 06.** (Type 06 Foreign Trade Zone entries are allowed only when no Antidumping/Countervailing duty merchandise is included on them.)

Entry summaries subject to Antidumping/ Countervailing duty cases may be adjusted via existing procedures for individually adjusting entry summaries prior to liquidation.

F. Taxes and Fees

For Entry-by-entry Reconciliations, all taxes and fees on each entry summary must be adjusted to show the correct amount appropriate to that entry summary had the complete information for the transaction been known at the time of entry summary filing.

On Aggregate Reconciliations, since monetary changes to individual entry summaries are not reported, adjustments to taxes and fees will be reported on the Summarized Line Item Data Spreadsheet, as follows:

Taxes and Fees applied to individual commodities, such as Cotton Fee, Beef Fee and the like, will be adjusted by multiplying any increase in dutiable value by the rate associated with the tariff number for the product in question.

For Harbor Maintenance Tax (HMT), the importer is responsible for determining and declaring the amount owed, based on any increase in dutiable value, for those products which had been subject to HMT at the time of original entry summary.

Merchandise Processing Fee (MPF) will be determined and declared in a similar fashion. The importer is responsible for determining and declaring the proper amount of MPF due based on any increase in dutiable value, at the MPF rate applied to the product at time of filing the underlying entry summary. Because there is a maximum assessment of MPF for entry summaries, Customs will use the following formula to set the maximum MPF to be paid on an Aggregate Reconciliation:

[($\$485 \times$ number of entries covered by the Reconciliation which were subject to MPF), less the amount of MPF already paid on those same entries.]

G. Regulatory Provisions

The February 6, 1998 Federal Register notice included a section on regulatory provisions suspended. That section is hereby modified by removing all references to Part 113.62, Customs Regulations, and adding the following statement: Certain provisions in Part 111, and Part 141 of the Customs Regulations will be suspended during this prototype test. This will allow brokers to file Reconciliations on behalf of importers at the designated Reconciliation Processing Port, without holding a permit in that port. The suspension provided in this notice pertains only to filing type '09' Reconciliation entries, and not to any other Customs business transacted by brokers.

H. Handbook

A Reconciliation procedures handbook is currently under development by Customs. Participants in the prototype will receive a copy of this handbook, which will contain specific operational information, including instructions on how to file and flag underlying entries, and how to file Reconciliations. The publication will be made available to the general public via the web site listed above, and a version of it will be distributed to Customs officers.

I. Interest

Interest accrues on all Reconciliations where monetary adjustments take place, whether they are increases or decreases in duties, taxes, and fees. If interest is due Customs, the filer will make payment of the interest upon filing the Reconciliation, along with duties, taxes, and fees. Interest due the importer will be paid upon liquidation of the Reconciliation. Customs is currently seeking a statutory amendment to 19 U.S.C. 1505 which would allow an alternate interest accounting methodology, such as the following, which will be used **if the required statutory change is obtained:**

Interest will be calculated on the entire amount of adjusted duties, taxes, and fees, as if they had been due on the midpoint date of the period covered by the Reconciliation. For example, if a Reconciliation covers January 1, 1999 through December 31, 1999, and results in \$20,000 in increased revenue, the interest would be calculated for the \$20,000 from the midpoint date of July 1, 1999.

If no such statutory amendment occurs: Importers will be required to determine the appropriate amount of interest due for each entry summary, and report such adjustment for each entry summary, either via the Association File for Entry-by-Entry Reconciliations, or as a total amount of interest due for Aggregate Reconciliations.

J. Components of the Reconciliation

Reconciliations will consist of three parts. This is true of both Entry-by-entry and Aggregate Reconciliations: The Header, Association File, and Summarized Line Data Spreadsheet. The characteristics of these three components are unchanged from those described in the Federal Register notice of February 6, 1998. In cases where a Reconciliation is filed with no adjustments to value or other elements of the underlying transactions, that is, merely to satisfy the obligation to file a Reconciliation initiated by flagging entry summaries, the spreadsheet need not be provided, as it would be a spreadsheet containing no data. Importers should be aware of the distinction between this situation and one where there are adjustments to value but no revenue implications, in which a spreadsheet would be required.

K. Summarized Line Item Data Spreadsheet

The spreadsheet shown in the February notice is correct except that the title reads "Aggregate Reconciliation" when it should read "Reconciliation Summarized Line Data Spreadsheet," since the spreadsheet is used both for Entry-by-entry and Aggregate Reconciliations. Also, it was brought to Customs attention that totals on certain columns were incorrect. These were typographical errors not intended to represent calculations other than those described in the notice or on the face of the spreadsheet.

L. Application to participate in the prototype

Importers interested in participating in the prototype must apply to Customs in writing. Policies from the earlier notice regarding applica-

tions remain in effect. Applications will be accepted throughout the duration of the prototype. The application requirements from the earlier notice are unchanged, except that applicants are no longer required to specify the port where the Reconciliations will be filed, as Customs will instruct the importer on where they must be filed.

Applications should be submitted to Mr. Don Luther, Reconciliation Team, U.S. Customs Service, 1300 Pennsylvania Ave, NW, Mailstop 5.2A, Washington, DC, 20229-0001. Applications may be submitted until the start of the prototype and throughout the duration of the prototype.

Parties interested in the ACS Reconciliation Prototype should consult the Federal Register notice (63 FR 6257) of February 6, 1998. All terms and conditions set forth in that notice remain in effect except to the extent they are specifically modified by this notice.

Dated: August 12, 1998.

ROBERT S. TROTTER,
Assistant Commissioner,
Office of Field Operations.

[Published in the Federal Register, August 18, 1998 (63 FR 44303)]

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, DC, August 19, 1998.

The following documents of the United States Customs Service, Office of Regulations and Rulings, have been determined to be of sufficient interest to the public and U.S. Customs Service field offices to merit publication in the CUSTOMS BULLETIN.

JOHN DURANT,
(for Stuart P. Seidel, Assistant Commissioner,
Office of Regulations and Rulings.)

REVOCATION OF CUSTOMS RULING LETTER RELATING TO
TARIFF CLASSIFICATION OF KEY RING/FINDER

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of revocation of tariff classification ruling letter.

SUMMARY: Pursuant to section 625(c)(1), Tariff Act of 1930 [19 U.S.C. 1625(c)(1)], as amended by section 623 of Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057), this notice advises interested parties that Customs is revoking a ruling pertaining to the tariff classification of the "keyfinder" key ring. Notice of the proposed revocation was published on July 1, 1998, in the CUSTOMS BULLETIN, Volume 32, Number 26.

EFFECTIVE DATE: Merchandise entered or withdrawn from warehouse for consumption on or after November 2, 1998.

SUPPLEMENTARY INFORMATION:

BACKGROUND

On July 1, 1998, Customs published a notice in the CUSTOMS BULLETIN, Volume 32, Number 26, proposing to revoke NY Ruling Letter (NY) B82059, issued on March 3, 1997, which concerned the tariff classification of the "keyfinder" key ring. No comments were received in response to the notice.

Pursuant to section 625(c)(1), Tariff Act of 1930 [19 U.S.C. 1625(c)(1)], as amended by section 623 of Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057), this notice advises interested parties that Customs is revoking NY B82059 to reflect the proper classifica-

tion of the "keyfinder" key ring as electric sound or visual signaling apparatus: other apparatus: other: other, under subheading 8531.80.90, HTSUS. Headquarters ruling 960460, revoking NY B82059, is set forth as an attachment to this document.

Publication of rulings or decisions pursuant to 19 U.S.C. 1625(c)(1) does not constitute a change of practice or position in accordance with section 177.10(c)(1), Customs Regulations (19 CFR 177.10.(c)(1)).

Dated: August 14, 1998.

MARVIN AMERNICK,
(for John Durant, Director,
Commercial Rulings Division.)

[Attachment]

[ATTACHMENT]

DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE,
Washington, DC, August 14, 1998.
CLA-2 RR:CR:GC 960460 HMC
Category: Classification
Tariff No. 8531.80.90

MRS. WYNN SPURGEON
VICE PRESIDENT
TRANS-WORLD SHIPPING SERVICE, INC.
3206 Frenchmens Road
P.O. Box 795
Toledo, OH 43697-0795

Re: "Keyfinder" key ring; Explanatory Note VIII to GRI 3(b); Explanatory Note 73.26; other articles of iron or steel wire; other sound signaling apparatus; HQ 087831; HQ 950636; HQ 958452; NY B82059, revoked.

DEAR MRS. SPURGEON:

This is in response to your letter, dated March 28, 1997, on behalf of Mark Feldstein & Associates, requesting reconsideration of New York Ruling Letter (NY) B82059, dated March 3, 1997. In NY B82059, Customs classified a "keyfinder" key ring from China, more specifically described below, under the provision for flashlights under subheading 8513.10.20 of the Harmonized Tariff Schedule of the United States (HTSUS). A sample was submitted with your letter. Pursuant to section 625(c)(1), Tariff Act of 1930 [19 U.S.C. 1625(c)(1)], as amended by section 623 of Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act, Pub. L. 103-182, 107 Stat. 2057 (1993), notice of the proposed revocation of NY B82059 was published on July 1, 1998, in the CUSTOMS BULLETIN, Volume 32, Number 26. No comments were received in response to the notice.

Facts:

The merchandise is a novelty "keyfinder" key ring, consisting of a metal key ring attached to a round plastic casing with a button on the top midsection. The plastic casing is approximately 1 3/4 inches in diameter, which houses a battery operated, electronic beeper and red light. The beeper and red light are activated when a person whistles; and, the red light also lights up when the top button is pressed. The light is at one end of the casing, protected by a clear plastic cover that measures approximately 5/8 of an inch. You state that the beeping noise and light help locate keys, if misplaced.

The provisions under consideration are as follows:

7326	Other articles of iron or steel:
7326.20.00	Articles of iron or steel wire * * * 4.3%
	* * * * *
8513	Portable electric lamps designed to function by their own source of energy (for example, dry batteries, storage batteries, magnetos), other than lighting equipment of heading 8512; parts thereof:
8513.10	Lamps:
8513.10.20	Flashlights * * * 15%
	* * * * *
8531	Electric sound or visual signaling apparatus (for example, bells, sirens, indicator panels, burglar or fire alarms), other than those of heading 8512 or 8530; parts thereof:
8531.80	Other apparatus:
	Other:
8531.80.90	Other * * * 1.6%

Issue:

Whether the key ring/finder is classifiable as flashlights under subheading 8513.10.20, HTSUS, as other signaling apparatus under subheading 8531.80.90, HTSUS, or as articles of steel wire under subheading 7326.20.00, HTSUS.

Law and Analysis:

Merchandise is classifiable under the HTSUS, in accordance with the General Rules of Interpretation (GRIs). GRI 1 states in part that for legal purposes, classification shall be determined according to the terms of the headings and any relative section or chapter notes, and provided the headings or notes do not require otherwise, according to GRIs 2 through 6.

The subject key ring consisting of a metal ring attached to a novelty item is not specifically provided in any one heading of the HTSUS. In NY B82059, the key ring was classified as a flashlight of heading 8513, HTSUS, because it was determined that the essential character of the article is imparted by the light. We note that the article is also described by heading 7326, HTSUS, as an article of iron or steel wire and in heading 8531, HTSUS, as an other signaling apparatus.

The key ring cannot be classified by reference to GRI 1 because the components are *prima facie* classifiable in different headings. GRI 3(a) states that when, by application of GRI 2(b) or for any other reason, goods are, *prima facie*, classifiable under two or more headings, the heading which provides the most specific description shall be preferred to headings providing a more general description. However, when two or more headings each refer to part only of the materials or substances contained in mixed or composite goods or to part only of the items in a set put up for retail sale, those headings are to be regarded as equally specific in relation to those goods, even if one of them gives a more complete or precise description of the goods.

In this instance we have a composite good. The "keyfinder" is made up of a light and a beeper, attached to a split metal ring. The different components are mutually complementary and form a whole that would not normally be sold separately. Since the merchandise is a composite good, described in part by two or more headings, we must apply GRI 3(b), which provides that composite goods are to be classified according to the component that gives the good its essential character.

The Harmonized Commodity Description And Coding System Explanatory Notes (EN's) constitute the official interpretation of the Harmonized system. While not legally binding on the contracting parties, and therefore not dispositive, the EN's provide a commentary on the scope of each heading of the Harmonized System and are thus useful in ascertaining the classification of merchandise under the System. Customs believes the EN's should always be consulted. See T.D. 89-80, 54 Fed. Reg. 35127, 35128 (Aug. 23, 1989).

Explanatory Note (VIII) to GRI 3(b), at page 4, states that the factor which determines essential character will vary as between different kinds of goods. It may, for example, be determined by the nature of the material or component, its bulk, quantity, weight or value, or by the role of a constituent material in relation to the use of the goods. It is the role of the constituent materials in relation to the use of the goods that imparts the essential character to the "keyfinder" key ring in this case.

NY B82059 found that the essential character of the article is imparted by the light component because its primary function is to project a beam of light. Customs has nevertheless held that, ~~as~~ between the plastic and steel components in key chains, it is the steel element which provides the essential character of the item. The steel component is what makes up the utilitarian portion of the key ring, whereas the plastic component is present primarily for decorative purposes. See HQ 087831, dated November 27, 1990, HQ 950636, dated January 16, 1992, and HQ 958452, dated July 3, 1996. In these rulings Customs found that the novelty items attached to the key chains did not possess any utilitarian purpose. In contrast, the attachment in this instance performs a function, and we must then determine which component performs the primary function.

The "keyfinder" key ring's attachment beeps and lights up, when a person whistles, in order to locate lost keys. This we believe is the primary function of the subject article. The merchandise will be purchased for its key finding capability and not simply for holding keys. The key holding function of the metal ring is only subsidiary to the function performed by the beeper component. Also, we believe the red light, in this instance, is too weak to be considered a projected beam of light as emitted by a flashlight. We therefore conclude that neither the light nor the metal ring imparts the essential character in the "keyfinder" key ring.

Heading 8531 includes electric sound or visual signaling apparatus. EN 85.31 states, in part, at page 1496, that heading 8531 covers all electrical apparatus used for signaling purposes, whether using sound for the transmission of the signal (bells, buzzers, hooters, etc.) or using visual indication (lamps, flaps, illuminated numbers, etc.), and whether operated by hand (e.g., door bells) or automatically (e.g., burglar alarms). We find that the beeper component imparts the essential character and that the "keyfinder" key ring is described by heading 8531. It is classifiable under subheading 8531.80.90, HTSUS. Accordingly, NY B82059 is being revoked.

Holding:

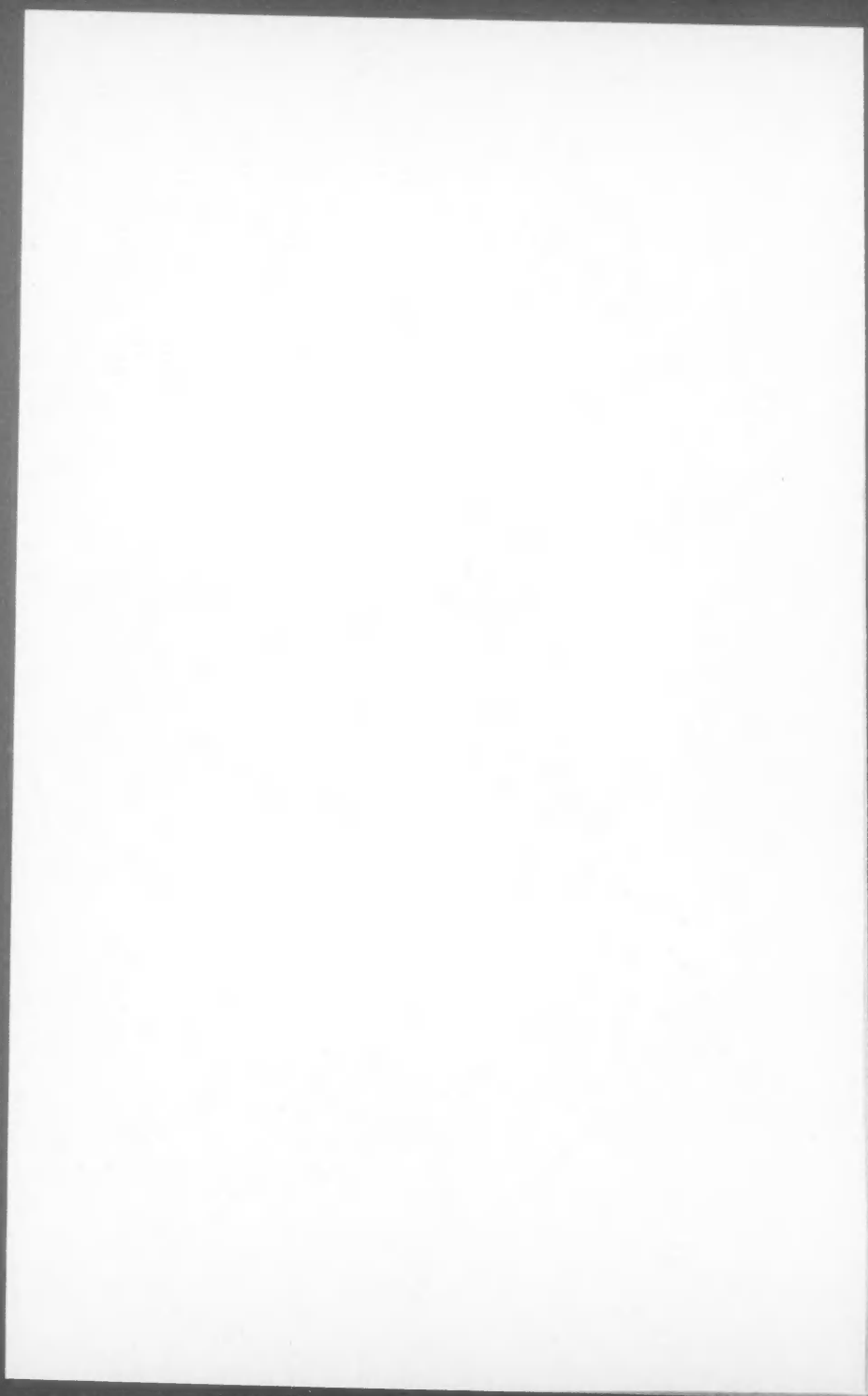
Under the authority of GRI 3(b), the "keyfinder" key ring is classifiable in subheading 8531.80.90, HTSUS, as electric sound or visual signaling apparatus: other apparatus: other: other. The rate of duty is 1.6%.

Effect on Other Rulings:

NY B82059, dated March 3, 1997, is revoked. In accordance with 19 U.S.C. 1625(c)(1), this ruling will become effective 60 days after publication in the CUSTOMS BULLETIN. Publication of rulings or decisions pursuant to 19 U.S.C. 1625(c)(1) does not constitute a change of practice or position in accordance with section 177.10(c)(1), Customs Regulations [19 CFR 177.10(c)(1)].

MARVIN AMERNICK,
(for John Durant, Director,
Commercial Rulings Division.)





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Customs Bulletin and Decisions
Vol. 32, No. 35, September 2, 1998

U.S. Customs Service

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